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Forty-fifth session
Items 94, 99, 103, 104, 109, 112 and 113
of the preliminary list*
ELIMINATION OF ALL FORMS OF RACIAL
DISCRIMINATION
POLICIES AND PROGRAMMES INVOLVING YOUTH
CRIME PREVENTION AND CRIMINAL JUSTICE
ELIMINATION OF ALL FORMS OF DISCRIMINATION
AGAINST WOMEN
ELIMINATION OF ALL FORMS OF RELIGIOUS
INTOLERANCE
TORTURE AND OTHER CRUEL, INHUMAN OR
DEGRADING TREATMENT OR PUNISHMENT
ENHANCING THE EFFECTIVENESS OF THE
PRINCIPLE OF PERIODIC AND GENUINE
ELECTIONS

SECURITY COUNCIL
Forty-fifth year

Letter dated 19 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General

I have been instructed by my Government to draw your attention to the attached extract from Country Reports on Human Rights Practices For 1989, published by the Department of State of the United States of America, which contains information on the situation concerning human rights in Saudi Arabia. I have underlined passages of special relevance.

In view of the importance of this information, I have the honour to request that the present letter and the attached extract be issued as an official document of the General Assembly, under items 94, 99, 103, 104, 109, 112 and 113 of the preliminary list, and of the Security Council.

(Signed) Johanan BEIN
Ambassador
Acting Permanent Representative

* A/45/50.

ANNEX*

101st Congress
2d Session

JOINT COMMITTEE PRINT

COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1989

REPORT

SUBMITTED TO THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

AND THE

COMMITTEE ON FOREIGN RELATIONS
U.S. SENATE

BY THE

DEPARTMENT OF STATE

IN ACCORDANCE WITH SECTIONS 116(d) AND 502B(b) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

FEBRUARY 1990

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* Underlining has been added by the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations.

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SAUDI ARABIA

Saudi Arabia is a monarchy ruled by the descendants of its founder, King Abd Al-Aziz (known in the West as "Ibn Saud"), who unified the country in the early part of the 20th century. The concept of separation of religion and state is foreign to Saudi society, and the legitimacy of the regime rests to a large degree on its perceived adherence to the defense of a conservative form of Islam. The legal system is based on the Shari'a, the codified Islamic religious law. There is no written national constitution. Most Saudis share a respect for this legal system, which they believe to be divinely inspired, as well as for ancient customs which call for consensus in government, internal social cohesion, and private economic enterprise. Since the death of King Abd Al-Aziz, the King and Crown Prince have been chosen from among his sons, who themselves have preponderant influence in the choice. Senior religious scholars and other princes also have a voice. There are no elected assemblies or political parties. All forms of political expression (except those favorable to the regime) are forbidden.

Saudi Arabia's security rests with three entities: the Ministry of Defense and Aviation, which controls the Army, Air Force, and Navy; the National Guard, which is responsible for guarding vital internal installations and providing additional land forces in case of war; and the Ministry of Interior, which is responsible for internal security (including police) and border forces.

During the past 40 years, massive oil revenues have transformed Saudi Arabia's centuries-old pastoral, agricultural, and commercial economy. This transformation has been marked by rapid urbanization, large-scale infrastructural development, the emergence of a technocratic middle class, and the importation of millions of foreign workers to do menial and high-skill jobs. It has also been marked by widespread expenditure of public funds in ways which have enriched the royal family and their associates. With some important exceptions, the economy remains largely in private hands.

No major new developments affected human rights in 1989. As in previous years, there were continuing reports of mistreatment of prisoners and incommunicado detention. Civil liberties--particularly the freedoms of speech and press, peaceful assembly and association, religion, and the right of citizens to change their government--were still significantly restricted.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

There were no reports of political killings, but there was one reported death by torture of a person in official custody (see Section 1.c.).

b. Disappearance

There were no known disappearances.

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c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Under the Saudi interpretation of Islamic law, punishment for some crimes may include amputation, administered under anesthetic, or execution by beheading, firing squad, or stoning (with the convicted person in a drugged state). In the absence of two witnesses (four witnesses in the case of adultery), confessions before a judge are usually required for conviction. There were unconfirmed reports in 1989 that the police beat some detainees to elicit confessions. One prisoner is known to have been forced to stand for long periods of time with his hands above his head as a means of inducing him to confess. In an August 10 press release, Amnesty International (AI) alleged that Zahara' Habib Mansur al Nasser died in July while in police custody, reportedly as a result of torture.

In accordance with its interpretation of Islamic law, Saudi Arabia imposes capital punishment for a wide variety of crimes. Beheading is the usual method of execution, and all executions in 1989 were by this method. In some cases in 1989, beheading was followed by public crucifixion. Death by firing squad or stoning may be imposed for adultery. There were reliable reports of public nonjudicial stonings for adultery during 1989. In the first 10 months of 1989, at least 13 recidivist thieves had their hands severed, including 11 non-Saudis.

For less severe crimes, such as drunkenness or publicly flouting Islamic precepts, flogging with a cane is often imposed. Flogging is intended to degrade rather than cripple the criminal and to serve as a deterrent to others. The skin is not broken, and the flogging, though it is painful and leaves welts, is administered with a bent elbow. One of the Kuwaitis sentenced to prison for the bombings in Mecca in 1989 will receive a total of 1,500 lashes in 30 installments over his 20-year sentence. Two Americans were flogged for alcohol-related offenses in 1989.

In its 1989 Report, covering 1988, AI noted that it had received new information about the torture and ill-treatment of detainees in previous years. Among the practices described were "falaqa" (beating on the soles of the feet) with the ankles secured by rope to a raised pole; partial submersion in water; sleep deprivation; and extended solitary confinement. It said reports from detainees indicated torture is commonly practiced at the General Directorate of Investigations (GDI) prison in Dammam.

Members of the Committee for the Propagation of Virtue and Prevention of Vice (the "religious police," commonly called Mutawwi'in), enforce laws concerning prayer time closings and appropriate dress in public. They have the legal right to detain suspects for up to 24 hours before turning them over to the regular authorities. Mutawwi'in have flogged detainees while seeking to elicit a confession and often use switch-like sticks in harassing those who violate the law. Some incidents of harassment were attributable to self-appointed vigilantes who function outside the Mutawwi'in hierarchy. Expatriates were often the targets of harassment. In several instances involving Americans, the U.S. Government protested to the Saudi Government. The Government has occasionally disciplined overzealous Mutawwi'in, and in a year-end speech the King

cautioned the religious police to carry out their duties in a civil fashion.

d. Arbitrary Arrest, Detention, or Exile

Saudi security forces are divided into several branches, including the regular police and the special investigative police. Since criminal procedure is generally determined at the discretion of the arresting officer, arbitrary arrest occurs. There is no automatic, prompt procedure for contacting a detainee's family or employer; however, in cases involving foreigners, Saudi authorities acknowledge that they have the obligation to do so. When asked, the police will almost always confirm an arrest. Embassies usually hear about arrests of their nationals informally within a few days. Although in the past consular officials were usually given prompt access to prisoners, a new policy requiring Foreign Ministry approval has caused delays in consular visits. Official notification almost always takes several months, if it is given at all.

Problems may arise when persons are arrested by the GDI, the security service commonly called the "Mubahith" or investigative police. GDI prisoners are regularly held incommunicado during the initial phase of an investigation, which may last weeks or months. Following the bombings in Mecca in July 1989, a number of suspects were arrested and held for weeks without official charges while their cases were being investigated.

Saudi law makes no provision for bail or habeas corpus; prisoners are sometimes released on the recognizance of a patron or employer. Prisoners may be held for long periods while investigations proceed before being charged or released. Regulations issued by the Interior Ministry in 1983 to eliminate lengthy pretrial detentions or detentions without charges are frequently not enforced. However, under normal circumstances most arrestees are held no longer than approximately 3 days before being formally charged.

In a July 1989 newsletter, AI expressed concern over the detention since April 1988 of over 40 Shi'a activists in prison in Riyadh.

The Government does not formally use exile as a form of punishment. However, in the past, dissident members of the royal family have been barred from reentering the country. Denial of exit visas is a more common punishment.

AI charged in a report issued in January 1990 that there is evidence of a "clear pattern of suspected political opponents being arrested without warrant and held for long periods without trial." The detainees cited in the report are members or suspected members of several Shi'ite fundamentalist groups banned in Saudi Arabia. The report alleges that detainees are routinely tortured or otherwise abused in the first days or weeks of detention and are denied access to counsel and family. AI states that the Saudi Government has not responded to its contention that at least 66 individuals are being held without charge or trial. AI has specifically cited the case of Shi'ite scholar Sayyid Tahir Al Shimimy, saying there are fears that he has been tortured during his detention since June 1989.

With regard to forced or compulsory labor, see Section 6.c.

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e. Denial of Fair Public Trial

The judicial system is founded upon the Shari'a. Regular Shari'a Courts exercise jurisdiction over common criminal cases and civil suits regarding marriage, divorce, child custody, and inheritance of real or personal property. Trials are generally closed and are normally held without counsel, though the advice of lawyers is available before trial. In a Saudi court the defendant appears before a judge who determines guilt or innocence and, if warranted, imposes the appropriate punishment. Counsel is not permitted in the court itself, but lawyers may act as interpreters for those unfamiliar with Arabic. With rare exceptions, there is no consular access to the trials of foreign nationals. Sentencing is not uniform and may be changed at any of the stages of review. Appeals against judges' decisions are automatically reviewed by the Justice Ministry or, in more serious cases, by the Court of Cassation and the Supreme Judicial Council, to ensure that court procedure was correct and that the judge applied appropriate legal principles and punishments. Cases involving capital punishment must also be reviewed by the King.

Shi'a are free to adjudicate exclusively noncriminal intra-Shi'a disputes within their own legal tradition.

The independence of the judiciary is prescribed by law and usually respected in practice, although jurists are nevertheless aware of (and reportedly have often acceded to) the power and influence of the royal family and their associates. The Justice Ministry is responsible for the appointment, transfer, and promotion of judges. Judges may be disciplined or removed only by the Supreme Judicial Council, an independent body of senior jurists. The Supreme Judicial Council in the past has investigated and removed corrupt judges to allow prosecution and imprisonment.

Specialized labor and commercial courts decide cases on the basis of decrees issued by the Council of Ministers and regulations issued pursuant to those decrees. The labor and commercial courts' effectiveness is frequently vitiated by long delays in reaching decisions and practical difficulties in enforcing judgments reached. In addition, it is often impossible to obtain texts of laws or decrees, and the decisions of the commercial and labor courts are reportedly often influenced by the relative rank or influence of the parties involved. The military justice system has jurisdiction over uniformed personnel and civilian government employees charged with violations of military regulations. Court-martial decisions are reviewed by the Minister of Defense and Aviation and the King.

The Board of Grievances arbitrates claims against the State. Although the Board has a staff of experienced jurists and is guaranteed considerable independence, it lacks the power to enforce judgments, and the collection of debts owed by the Government to contractors remains difficult.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Among the most fundamental of Islamic precepts are the sanctity of family life and the inviolability of the home. Saudi police must generally demonstrate reasonable cause and obtain special permission from the provincial governor before

searching a private home, but warrants are not required. The Mutawwi'in may enter homes to search for evidence of un-Islamic behavior when they have grounds for suspicion, but instances of this appear to be rare. Wiretaps and mail surveillance can be carried out on the authority of officials of the Interior Ministry or the Directorate of Intelligence. Informants are reliably reported to be widely employed in internal security matters. An American citizen was detained and deported in 1989 for political statements made in private correspondence which was opened by Saudi authorities.

Most social and Islamic religious norms and strictures affecting personal life are matters of law and are enforced by the Government. Saudi women may not marry non-Saudis without government permission, which is rarely given. Saudi men must obtain approval to marry women from countries other than the six members of the Gulf Cooperation Council. During the Muslim holy month of Ramadan, the prohibition against public eating, drinking, or smoking during daylight hours is enforced on Muslims and non-Muslims alike. Prohibitions against alcohol and material deemed pornographic are strictly enforced and apply as well to foreign residents. Decorum in dress and demeanor, as well as the closing of shops for a half-hour period during the five daily prayers, are enforced by the Mutawwi'in.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The freedom of speech and press is significantly limited. Criticism of Islam or of the ruling family is not allowed. The potential presence of informers renders public criticism of the regime rare. In private, complaints are expressed relatively freely. Saudis are able to voice complaints and to seek redress of grievances through the open door audiences which are held regularly by even the highest officials, but such grievances are generally personal rather than political or social.

Saudi television and radio are state owned and operated. Foreign programs and songs are heavily censored, with rerefences to politics, religions other than Islam, pork or pigs, and alcohol removed. Although foreign news is generally presented in an objective manner, news about subjects affecting Saudi Arabia is tightly controlled and conflicting viewpoints are not offered.

The press is privately owned. It is effectively controlled by a 1982 media policy statement and the firm understanding that nothing embarrassing to the Government, ruling family, or religious leadership may be published. The media policy statement enjoins the press to uphold Islam, oppose atheism, promote Arab interests, and preserve the cultural heritage of Saudi Arabia. Newspapers receive guidelines issued by the Information Ministry on government positions on controversial issues, and the government-owned Saudi Press Agency (SPA) expresses the official viewpoint on such issues. Most foreign news that does not directly concern Saudi Arabia is presented objectively. Domestic news concerning sensitive subjects, such as crime or terrorism, is not published.

Editors-in-chief are appointed with the tacit approval of the Information Minister, and the Government has the power to have them removed. Foreign publications circulate but can be

censored for materials deemed immoral or explicitly or implicitly critical of Saudi policies and actions. For example, international publications such as Time or the International Herald Tribune are received by subscribers or appear on newsstands with advertisements for alcoholic beverages, pictures of female celebrities, and beach scenes torn out or obscured with black ink, and entire publications have sometimes been withheld from distribution. Crossword puzzles and comic strips in English-language newspapers are sometimes censored.

Academic freedom is constrained by similar guidelines; for example, the study of Freud, Marx, and Western philosophy is forbidden. Professors commonly believe that classroom comments which would be taken as antiregime will be reported to the authorities. There is also an injunction against the study of music in educational institutions, including universities. Nevertheless, there has been an increase in artistic activities in schools and universities, and in society in general, as evidenced by classes sponsored by the Saudi Arabian Society for Culture and Arts, an association whose head holds ministerial rank. There are also private art galleries, and some members of the royal family patronize the arts. Abstract and representational artists as well as photographers are allowed to work. Cinemas and most public musical or theatrical performances are, however, still prohibited.

b. Freedom of Peaceful Assembly and Association

Public demonstrations as a means of political expression or to present grievances are prohibited. Tribal, familial, and economic interest groups informally aggregate public opinion, which their leaders express to high officials. Nonpolitical clubs and professional groups may be organized with the permission of the authorities. The few existing professional bodies are permitted but not encouraged to maintain contacts with their recognized international counterparts. Public meetings are generally segregated by sex. Unless they are sponsored by diplomatic missions, members of groups seeking to hold unsegregated meetings face arrest, imprisonment, and deportation.

For a discussion of freedom of association as it applies to labor unions, see Section 6.a.

c. Freedom of Religion

Freedom of religion is strictly circumscribed. Islam is the official religion, and all Saudi citizens must be Muslims. Conversion to another religion is a crime punishable by death. The Saudis allow all Muslims who wish to visit Mecca and Medina to do so. However, in conjunction with the Organization of the Islamic Conference, they have established a system of national quotas for the yearly pilgrimage, or hajj, which is seen as discriminatory by some nationalities, particularly the Iranians. Travel to the holy places by non-Muslims is illegal. Political activities by pilgrims are banned. Islamic practice in Saudi Arabia is limited to that sanctioned by the "Wahhabi" interpretation of the Hanbali jurisprudential school. Practices contrary to this interpretation, such as the visiting of graves by pilgrims to Mecca or Medina, or the use of the Shi'ite call to prayer, are prohibited.

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The Shi'a Muslims of the eastern province, usually estimated at up to 400,000 persons, constitute a religious minority subject to officially sanctioned forms of social and economic discrimination. Any form of public Shi'ite practice that deviates from Sunni Islam is generally prohibited. Historically, the Government has prohibited Shi'ite public processions during the holy month of Muharram and restricted public celebrations to specially designated areas within the major Shia cities, but there were reports that authorities permitted marches in 1989 without banners or public self-flagellation. In addition, Shi'ite banners were allowed to be hung from a public building in at least one Eastern province town.

The Government offers to provide financial support for the Shi'a religious establishment, which is generally refused. The Government seldom permits private construction of Shi'ite mosques, and the Shi'a have refused government offers to build state-supported mosques, in which Shi'ite motifs would be prohibited.

Public or private non-Muslim religious activities are not permitted, and importation of non-Islamic religious materials, including Christmas cards or trees, is illegal. Persons wearing non-Islamic religious symbols in public may be arrested or publicly harassed by the Mutawwi'in. There are no non-Muslim places of worship, and foreign nationals may practice their religions only in secret. Proselytizing, large gatherings, or elaborate organizational structures are likely to attract official attention and lead to the imprisonment or expulsion of those responsible.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Male Saudis may travel freely anywhere within the country. Most male Saudis may also travel abroad freely. In the case of government officials, the permission of the royal court is required, but apparently is normally perfunctory. Saudi and non-Saudi women must obtain written permission from their closest male relative before being allowed to leave the country, or to travel on public transportation between different parts of the country. The passports of suspected subversives have occasionally been seized. Shi'a known to have pro-Khomeini sympathies may not be allowed to travel abroad. Saudis are permitted to emigrate and assume foreign nationality, which results in the loss of Saudi nationality. Citizenship is not revoked for political reasons.

There is no explicit formal policy regarding refugees or granting asylum. Refugees and displaced persons are in most cases dealt with like other foreign workers. With some exceptions, persons seeking residence in the country must meet strictly enforced requirements of sponsorship and employment. There are over 250,000 resident foreigners who fled their native countries, primarily Palestinians, Lebanese, Eritreans, Somalis, Afghans, and South Yemenis. These persons generally receive no special treatment, privileges, or services. Individual Saudis (frequently members of the ruling family) permanently sponsor such individuals to enable them to remain in Saudi Arabia, permitting them to find work where they may. In a small number of cases, sponsors reportedly have charged fees to such persons for providing documentation required by the Government. There are few Saudi refugees outside the country. Saudi Arabia is not a signatory of the International

Convention on Refugees, but Saudi authorities have reportedly been responsive in cases where deportation of refugees to their home country would jeopardize their safety.

Foreigners living in Saudi Arabia, except for North Yemenis, are required to carry identification cards. They are not permitted to travel outside the city of their employment or to change their workplace without their sponsor's permission. Foreign diplomats may not travel outside of the major cities without notifying the Government. Foreign national employees are not permitted to travel abroad without their sponsor's permission, since sponsors hold their passports and are responsible for obtaining exit visas for them. Foreigners involved in commercial disputes are often not allowed to leave the country until the dispute has been resolved. Sponsors have taken advantage of this arrangement at times to exert unfair pressure to resolve commercial disputes in their favor. Occasionally Saudi sponsors or business partners have been able to prevent foreign nationals from departing Saudi Arabia for years or to have them arrested or deported. In criminal cases, Saudi regulations require that the passports of all potential suspects and witnesses be seized. This has sometimes forced innocent foreign nationals to remain in Saudi Arabia for lengthy periods against their will.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the ability peacefully to change their government. There are no formal democratic institutions, and most Saudi citizens have no voice in the choice of leaders or in changing the political system. The King rules the country in matters secular and religious, within limits established by religious law, tradition, and the need to maintain consensus among the ruling family and religious leaders. The King's legitimacy is based upon his descent, his selection by consensus of the royal family, his adherence to the tenets of Islam, his ability to govern, and his perceived concern for the welfare and security of the nation. The King is also the Prime Minister, and the Crown Prince serves as First Deputy Prime Minister. The King appoints all other Ministers, who in turn appoint subordinate officials with cabinet concurrence. There are no popularly elected officials in Saudi Arabia. Political parties are not permitted, and there are no public organized opposition groups.

Traditionally, public opinion has been expressed through client-patron relationships and interest groups such as tribes, families, and professional hierarchies. The open-door audience (majlis) remains the primary forum for expression of opinion or grievance. Any male citizen or expatriate may attend these sessions, which the King, Princes, and all important officials, national and local, hold regularly and openly. Since the assassination of King Faisal during a majlis in 1975, however, kings have reduced the frequency of their personal contacts with the public. Access to King Fahd, to whom decisions on some even relatively minor matters are referred, is considered to be quite difficult. Typical topics raised in a majlis are complaints about bureaucratic delay or insensitivity, requests for redress or assistance, and criticism of particular acts of government affecting personal or family welfare. Broader "political" concerns--Saudi social, economic, or foreign policy--are raised only occasionally. Either the King or the Crown Prince meets with Sunni religious leaders at least once a week.

This institutionalized but relaxed means of ascertaining public opinion through consultation has limitations. Participation by women in the process is severely restricted, although there are reports that women may seek redress through female members of the royal family. As governmental functions have become increasingly complex, time consuming, and centralized in Riyadh, direct access to senior officials has become more difficult.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are no human rights groups in Saudi Arabia, and none critical of Saudi policies would be permitted. AI, in its 1989 Report, states that the Foreign Minister wrote to the organization in January 1988 indicating Saudi willingness to discuss with AI officials "the origins of human rights in Islam and the principles of the Shari'a and its implementation in the Kingdom of Saudi Arabia."

Section 5 Discrimination Based on Race, Sex, Religion, Language, or Social Status

Although racial discrimination is illegal in Saudi Arabia, substantial societal prejudice based on race still exists. Foreign workers from Africa and Asia are subject to various forms of discrimination, as are Saudis from the Yemeni-influenced areas of southwest Saudi Arabia.

Women in Saudi Arabia have few substantive political and social rights, and they are not equal members of society. Women (including foreigners) may not drive motor vehicles (or bicycles), and there are restrictions on their use of public facilities when men are present. By law and custom, women cannot travel alone; they may travel abroad, or within the country, only with the written permission of their nearest male relative. They are restricted to specially designated sections in the rear of urban buses with separate entrances. In public, women are expected to wear black garments covering their entire bodies, including, in many cases, their faces. Female circumcision or other mutilation is not practiced in most parts of Saudi Arabia, although there are indications that it may persist in the southwestern Tihama region. Although no figures are available, it is likely that physical abuse of women by their husbands or male relatives is not uncommon. "Islamic advice" columns in the Saudi press frequently recommend beating of women as a form of discipline.

In addition to these customary and legal restrictions, Saudi women are subject to discrimination inherent in the Islamic legal system. Under Islamic law a daughter's share of an inheritance is less than that of her brother, although the brother has financial obligations to his mother and sisters. Women must demonstrate legally specified grounds for divorce, but men may divorce without grounds. If divorced or widowed, a woman normally may keep her children until they attain the age of 7 years, but then they revert to the husband's family, to whom they belong under Islamic law. American women married to Saudis have frequently been barred from visiting their children after divorce. In a Shari'a court, the testimony of one man equals that of two women. Although Islamic law permits polygamy, it is becoming less common, especially in cities and among younger Saudis. Islamic law limits the

number of wives to four, and requires a husband who has more than one wife to treat each of his wives equally.

Employment opportunities for Saudi women are extremely limited, although there has been some slight improvement in recent years. In practice their employment is largely restricted to the media and to the teaching and health care professions. Free but segregated education through the university level is available to Saudi women, and the number of women enrolled in the educational system now totals more than a million, up about 50 percent in the past 5 years. Saudi men are able to study overseas; Saudi women cannot.

The large expatriate work force does not, for the most part, receive the same economic and social benefits available to native Saudis and must conform to restrictive Saudi social standards. Only a few highly skilled or high-ranking foreign workers are allowed to bring their families to live with them. Visits by relatives of foreigners working in Saudi Arabia, including foreign diplomats, are difficult to arrange. Employment opportunities for non-Muslims are circumscribed. Foreign embassies have received numerous reports of sexual abuse of female domestics by Saudi employers. It is almost impossible for these women to obtain redress in the courts, although a few employers have reportedly been punished for such abuses.

Saudi Shi'a face discrimination in government and industrial employment, especially in jobs with national security implications, which is broadly defined. The government petroleum company, Saudi Aramco, which traditionally provided large numbers of jobs to Shi'a, reportedly has been instructed to cease all further hiring of Shi'a and to phase out gradually all Shi'a working in responsible positions. Shi'a also face some limitations on their access to social services, despite efforts by the Government to improve the social service infrastructure in predominantly Shi'a areas of the country. Since the Iranian revolution, some Shi'a have been subjected periodically to surveillance and limitations on travel abroad.

Members of the royal family, and of other powerful families, are not subject to the same legal constraints as other Saudis. Princes and other influential persons may not be subject to customs inspection on entering the country and cannot be arrested. Government contracts are allegedly often awarded on the basis of influence, and foreign companies doing business in Saudi Arabia are said to need an influential "sponsor," often a member of the royal family, to be successful.

Section 6 Worker Rights

a. The Right of Association

Government decrees prohibit the formation of labor unions and strike activity. Saudi Arabia has been a member of the International Labor Organization (ILO) since 1976 but has ratified neither ILO Convention 87 regarding freedom of association, nor Convention 98 on collective bargaining.

b. The Right to Organize and Bargain Collectively

Collective bargaining is not recognized. There are no export processing zones in the country.

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c. Prohibition of Forced or Compulsory Labor

Forced or compulsory labor, in the usual sense, is not known to exist in Saudi Arabia. However, since employers generally exercise control over the movements of foreign employees, situations that could be described as forced labor can occur, especially in remote areas where workers are unable to leave their place of work. There are also reports that female workers are sometimes prevented from leaving the homes of their employers and forced to work 12 to 16 hours per day, 7 days a week. In addition, there are reports of workers whose employers have refused to pay several months' or even years' of accumulated salary, or other promised benefits, although in such cases workers have recourse to the labor courts. Workmen's wages are considered "first-class privileged debts," secured by a lien on all of the employer's property, and enforceable for collection before all other debts.

d. Minimum Age for Employment of Children

There is no minimum age for workers employed in family-operated businesses or in other situations that are construed as extensions of the household (e.g., farmers, herdsmen, and domestic servants) since they are not covered by Saudi Arabia's labor regulations. In other cases, the labor regulations provide for a minimum age of 13, which may be waived by the Ministry of Labor with the consent of the juvenile's guardian. Women and children under age 18 may not be employed in hazardous or harmful industries, such as mines or industries employing power-operated machinery.

e. Acceptable Conditions of Work

There is no legal minimum wage. The effective minimum wage is the amount required to induce laborers to come to work in Saudi Arabia. In some companies and institutions, wages are effectively set in accordance with nationality. As a result, workers from some countries may find themselves paid far less than workers from other countries who have equal seniority and are doing the same job. Saudi labor regulations establish a maximum 48-hour workweek at regular pay, and allow employers to require up to 12 additional hours of overtime at time-and-a-half pay.

Saudi labor regulations require employers to protect most workers from job-related hazards and disease, but workers employed in family-operated businesses, farmers, herdsmen, and domestic servants are not covered by these regulations. The law specifically prohibits employers from requiring workers to work outside when the temperature exceeds 122 degrees Fahrenheit. Labor Ministry inspectors and the labor courts are seeking, with some success, to enforce the labor code, but foreign nationals report frequent failures to enforce health and safety standards.

Saudi Arabia has a generous social security program. Most foreign workers were formerly eligible to participate in this program on the same basis as Saudis, but were excluded from participation in 1987. Saudi Arabia is now refunding all previous contributions by foreign laborers to these programs, with interest.

Foreign workers reside in Saudi Arabia in an explicitly temporary status comparable to workers who enter the United States under temporary labor contracts. As a consequence,

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they are officially barred from seeking employment with anyone but their sponsor, although in practice many do change jobs during the course of their stay in Saudi Arabia. If dismissed, foreign workers are officially obliged to leave the country by a date set by their employers, although many do stay on in alternate employment. In some cases, foreigners, who have worked in Saudi Arabia for many decades and who may have no country to which they can return, find themselves required to leave the country immediately if demanded by their employers or upon retirement.

There are numerous reports of domestic servants being victims of overwork and sexual and physical abuse. Saudi relations with a country supplying large numbers of foreign domestics were, in fact, strained in 1988 due to that country's concern with the treatment of its citizens in such positions. This problem was later settled--at least to the satisfaction of both governments--through bilateral negotiations. As noted above, domestic positions, such as maid, nanny, and cook, are not covered by Saudi labor regulations. This fact, plus ignorance of the labor regulations, inability to understand Arabic, and fear of retribution from their employers, have generally militated against maids pressing charges in court. The Government, in general, considers cases involving domestic servants to be private family matters and will not get involved unless clear-cut charges of severe abuse are brought to its attention.

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19 April 1990

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LETTER DATED 19 APRIL 1990 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the mandate of the United Nations Observer Group in Central America (ONUCA).

As I reported to the members of the Security Council in informal consultations this afternoon, a series of agreements were signed in Managua earlier today by the Government of Nicaragua, representatives of the President-Elect, representatives of the Northern, Central and Atlantic Fronts of the Nicaraguan resistance and the Archbishop of Managua, Cardinal Obando y Bravo, relating to the voluntary demobilization of the members of the Nicaraguan resistance.

As a consequence of these agreements, the parties have requested that ONUCA should monitor both a cease-fire which came into effect at 12 noon local time today and the separation of forces which will result from the withdrawal of the Nicaraguan Government's forces from the security zones which are to be established in Nicaragua to facilitate the demobilization of the members of the Nicaraguan resistance.

These tasks would constitute an addition to the mandate of ONUCA and therefore require the approval of the Security Council. As I indicated this afternoon, I believe that the agreements signed today in Managua constitute an important step forward in the Central American peace process. I accordingly recommend that the Council approve the necessary enlargement of ONUCA's mandate.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Javier PEREZ de CUELLAR

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21258
20 April 1990

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Having examined the letter addressed to the President of the Security Council by the Secretary-General on 19 April 1990 (S/21257) concerning the United Nations Observer Group in Central America (ONUCA), as well as his statement of 19 April 1990 (S/21259) to the members of the Security Council in which he briefed them on the agreements signed in Managua that day, which envisage the complete demobilization of the Nicaraguan resistance by ONUCA during the period from 25 April to 10 June 1990,

Reaffirming its resolutions 644 (1989) of 7 November 1989 and 650 (1990) of 27 March 1990,

1. Approves the proposals concerning the addition of new tasks to ONUCA's mandate contained in the Secretary-General's letter of 19 April 1990 (S/21257) and in the above-mentioned statement (S/21259);

2. Requests the Secretary-General to report to the Security Council on all aspects of ONUCA's operations before the expiry of the current mandate period on 7 May 1990.

90-10419 2270Z (E)

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21259
20 April 1990

ORIGINAL: ENGLISH

LETTER DATED 20 APRIL 1990 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In response to your request, I attach, for circulation as a document of the Security Council, the text of the statement which I made in informal consultations of the Security Council yesterday, 19 April 1990.

(Signed) Javier PEREZ de CUELLAR

/...

90-10431 1611b (E)

ANNEX

Statement by the Secretary-General in informal consultations of the Security Council held on 19 April 1990

Thank you for convening this informal meeting of the Security Council. It gives me the opportunity to describe to the Council recent developments relating to the voluntary demobilization of the Nicaraguan Resistance and to seek the Council's approval for the action I propose to take in order to enable ONUCA to play the role envisaged for it in this process.

It gives me great pleasure to inform the members of the Security Council that early this morning in Managua, following an all night meeting, a series of agreements were signed which establish a cease-fire, security zones and a timetable for the voluntary demobilization of the members of the Nicaraguan Resistance. The participants in the meeting were the Government of Nicaragua, representatives of the President-elect, representatives of the northern, central and Atlantic fronts of the Nicaraguan Resistance and the Archbishop of Managua, Cardinal Obando Y Bravo. The Chief Military Observer of ONUCA and my alternate personal representative for the Central American peace process also took part but did not sign the agreements.

The main points in the agreements relating to the northern and central fronts are as follows:

(A) A cease-fire which came into effect at 12 noon local time today and which the parties wish to be monitored by ONUCA in co-operation with Cardinal Obando Y Bravo;

(B) The establishment of five security zones, to which the members of the Nicaraguan Resistance will move immediately, this movement to be completed by 25 April;

(C) Withdrawal of the military and security forces of the Government of Nicaragua from the security zones and from locations within 20 kilometres of the boundaries of the zones, this withdrawal to be completed by 21 April and monitored by ONUCA in co-operation with Cardinal Obando Y Bravo;

(D) Provision of humanitarian aid by CIAV to the members of the Nicaraguan Resistance as soon as they reach the security zones;

(E) Complete demobilization of the members of the Nicaraguan Resistance by ONUCA during the period from 25 April to 10 June.

The provisions of the agreements relating to the Atlantic front are broadly speaking the same, except that only two security zones will be established in this area and the timetable is somewhat different, with demobilization to be carried out in the period 8 to 18 May.

It is hoped that a similar agreement will be signed shortly with representatives of the southern front, thus covering all main elements in the Nicaraguan Resistance.

The arrangements agreed by the various Nicaraguan parties constitute an important step forward and in my view are practicable and acceptable. As, however, they differ in certain respects from those envisaged in my report of 15 March (S/21194), I have thought it right to inform the members of the Council of the main differences. These are: first, the formal cease-fire and separation of forces; secondly, the fact that the security zones are to be considerably larger than the temporary assembly points envisaged in my report; and thirdly, the fact that CIAV will provide humanitarian assistance to the members of the Nicaraguan Resistance as soon as they arrive in the security zones, i.e., before demobilization is complete.

The functions which the Nicaraguan parties have asked that ONUCA should perform can be summarized as:

(A) Monitoring the cease-fire and the separation of forces which will result from withdrawal of the Nicaraguan Government's forces from the security zones and the surrounding areas;

(B) Taking delivery of, and destroying, the weapons, matériel and military equipment, including military uniforms of the members of the Nicaraguan Resistance as described in my previous reports to the Security Council.

The second of these functions is already included in the expanded mandate for ONUCA which was approved by the Security Council in resolution 650 (1990). The first, however, namely monitoring the cease-fire and the separation of forces, will constitute a further addition to ONUCA's mandate and will thus require the approval of the Security Council. I am accordingly writing to you today, Mr. President, to seek this approval. I have meanwhile instructed the Chief Military Observer to make the necessary preparations for the deployment of as many as possible of ONUCA's existing strength of military observers to Nicaragua for this purpose, as soon as the Council's approval has been given. I need not stress the urgency of this matter, for the members of the Council will have noted that the cease-fire has already come into effect.

In this connection, there is also an urgent need to deploy the Phase IV military observers. Four Member States have told me informally that they are ready in principle to make the necessary officers available. Having today established that none of the five Central American countries has any objection to this proposed change in the composition of ONUCA, I will now write to you, Mr. President, to seek the Council's approval.

As regards the demobilization of the members of the Nicaraguan Resistance, the agreement achieved today, in my judgement, meets the requirement stated in my report of 15 March that the necessary political conditions should be fulfilled, namely an agreement by all concerned for the voluntary demobilization of the members of the Nicaraguan Resistance before ONUCA could carry out the role envisaged for it.

I have accordingly instructed the Chief Military Observer to move to Nicaragua, over the coming weekend, as many as he can spare of the company of Venezuelan infantry at present deployed in Honduras. They will now assist in the demobilization of the members of the Nicaraguan Resistance in Nicaragua, having carried out that operation in Honduras on 16 and 18 April as planned. I also propose to ask the Venezuelan Government to deploy the second company of their infantry battalion to Central America over the weekend. Finally, I am seeking the earliest possible budgetary authority from the ACABQ for the remainder of the Venezuelan battalion to be deployed next week.

As stated in my report to the Security Council of 15 March, the voluntary demobilization of the Nicaraguan Resistance is an essential element in the Central American peace process. I believe that the agreement reached earlier today provides a means of achieving that long-awaited goal and I am confident that this view will be shared by the members of the Security Council and that they will agree to a further expansion of ONUCA's mandate to enable it to monitor the cease-fire and separation of forces.

I shall continue to report regularly to the members of the Security Council as this process develops.

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UNITED NATIONS

General Assembly Security Council

Distr.
GENERAL

A/45/227
S/21260
20 April 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Items 12, 92, 99, 112 and 113 of the preliminary list*
REPORT OF THE ECONOMIC AND SOCIAL COUNCIL
EFFECTIVE IMPLEMENTATION OF UNITED NATIONS INSTRUMENTS ON HUMAN RIGHTS AND EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO SUCH INSTRUMENTS
POLICIES AND PROGRAMMES INVOLVING YOUTH
TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT
ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF PERIODIC AND GENUINE ELECTIONS

SECURITY COUNCIL
Forty-fifth year

Letter dated 20 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General

I have been instructed by my Government to draw your attention to the attached extract from Country Reports on Human Rights Practices for 1989, published by the Department of State of the United States of America, which contains information on the situation concerning human rights in Burkina Faso. I have underlined passages of special relevance.

In view of the importance of this information, I have the honour to request that this attached extract be issued as an official document of the General Assembly, under items 12, 92, 99, 112 and 113 of the preliminary list, and of the Security Council.

(Signed) Johanan BEIN
Ambassador
Acting Permanent Representative

* A/45/50.

ANNEX*

101st Congress
2d Session

JOINT COMMITTEE PRINT

COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1989

REPORT

SUBMITTED TO THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

AND THE

COMMITTEE ON FOREIGN RELATIONS
U.S. SENATE

BY THE

DEPARTMENT OF STATE

IN ACCORDANCE WITH SECTIONS 116(d) AND 502B(b) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

FEBRUARY 1990

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* Underlining has been added by the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations.

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BURKINA FASO

Burkina Faso is ruled by a military regime headed by Captain Blaise Compaore, who took power from Thomas Sankara on October 15, 1987 in the country's fourth military coup since 1980. The new military regime continued the ban on political parties and activities and gave no indication that the country will return to constitutional rule. Instead, President Compaore moved to firm up a narrow political base by forming a "popular front" of various leftwing and centrist groups, military officers, and miscellaneous civilians to assist in running the Government. He has also formed a network of Revolutionary Committees (CR's), loosely organized at national, regional, and local levels, to mobilize the population and promote revolutionary goals.

The Burkina Faso armed forces number about 7,500 members, including 5,200 in the army, 100 in the air force, and 2,200 in the paramilitary gendarmerie and the police. All police and internal security forces are controlled by the Ministry of Defense.

Burkina Faso, one of the world's poorer countries, is overwhelmingly tied to subsistence agriculture, with 90 percent of the population living in rural areas. Agriculture is, however, highly vulnerable to fluctuations in rainfall. Frequent drought, lack of communications and other infrastructure, a low literacy rate, and a stagnant economy are all longstanding problems. The country has a per capita income of about $180 per year.

Human rights continued to be circumscribed in 1989. Problem areas were extrajudicial killings, arbitrary detentions, mistreatment of detainees, and restrictions on press, speech, assembly, and the right of citizens to change their government through peaceful means. The Government did allow the establishment of a local human rights organization (which intervened in some specific cases), permitted some political groupings to form and distribute pamphlets discreetly, and released all political opponents held in prison.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

Four members of the armed forces were summarily executed without trial in September 1989 after allegedly plotting a coup d'etat. The four were Minister of Defense Major Jean-Baptiste Lengani, Minister of Economic Promotion Captain Henri Zongo, the officer in charge of the communications unit, Captain Sabyamba Koundaba, and an unidentified bodyguard of the Minister of Defense. After the coup attempt of Christmas 1989, the Government made a point of denying rumors that 7 people had been executed and said all arrestees would receive trials.

b. Disappearance

There were no reports of politically motivated disappearance.

BURKINA FASO

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Torture and mistreatment of detainees have been persistent problems for a number of years. Amnesty International published a special report in 1988, "Burkina Faso, Political Imprisonment and the Use of Torture from 1983 to 1988," giving accounts of the imprisonment of political opponents and torture under the present and preceding governments. Police brutality continued in 1989, although there were fewer credible reports, usually involving severe beatings, often at the time of apprehension. A Catholic Church-sponsored organization has alleged that the police and gendarmerie beat and tortured at least 15 people arrested for political reasons in 1989. The Government denied that anyone has been tortured.

Prison conditions are poor, with most prisons holding double their design capacity, and are characterized by the lack of sufficient food, minimum hygiene, and medical support.

d. Arbitrary Arrest, Detention, or Exile

There were continuing reports in 1989 of arbitrary arrest. The law permits preventive detention without charge for a maximum of 72 hours, renewable for a single 72-hour period in criminal cases. In practice, there are frequent violations of this restriction in cases involving both Burkinabe and foreign nationals, especially in political cases. Several schoolchildren, for example, were held in detention without charge for a number of months in 1988. In addition, in cases of emergency or national security, the military code, which provides for indefinite detention, overrides the civil code. Access to lawyers is not normally permitted in security cases, although it is provided for by law.

The Government detained several persons for political reasons during 1989, but by the end of the year all had been released, many within a few days of their arrest. Immediately following the discovery of the alleged coup plot on September 18, three or four government officials were arrested and held briefly for questioning. These persons were later released, but four others were summarily executed without trial. The Government also released a number of persons detained since the overthrow of the Sankara government in 1987, including former Interior Minister Ernest Nongria Ouedraogo. In this connection, 23 junior military personnel, detained at various times since Sankara's overthrow on suspicion of coup-plotting, were released August 4, 1989. An unknown number of people were arrested as a result of a coup attempt over Christmas 1989. Numbers rumored range from 5 to 30 prisoners, including military personnel. They were still being held at year's end, and the Government had provided no names or other information, despite requests.

Some intellectuals, ex-military officers, and former government officials remain in self-imposed exile abroad, partly due to fear for their safety should they return. Captain Boukary Kabore, leader of resistance at Koudougou airforce base against Compaore's coup in 1987, is now exiled in Ghana. He charged in 1989 that the popular front Government is attempting to liquidate all remaining Sankara loyalists. The Government has encouraged opponents of the Sankara regime to return home, but few have done so. Kabore stated in an interview in November that if he had the chance to seize power in Burkina, he would do so.

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BURKINA FASO

With regard to forced or compulsory labor, see Section 6.c.

e. Denial of Fair Public Trial

The regular judiciary, patterned after the French system, has continued to function for most criminal and civil cases. Defendants traditionally receive a fair trial and are represented by counsel. In 1987 the Government began the practice of appointing civil service attorneys to represent those who do not wish to retain, or are unable to afford, a private attorney.

The people's revolutionary courts begun under Sankara continued to hear cases primarily involving public corruption. The president of each people's court is a magistrate appointed by the Government to head a tribunal composed of magistrates, military personnel, and members of the CR's. The court president asks questions directly of the defendant.

In December 1988, seven soldiers were convicted by a military court in Bobo Dioulasso. The trial was held in secret, and the seven were executed the day after conviction without an opportunity to appeal. In the 1989 case of the four persons summarily executed, there was no known trial.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Government authorities generally do not interfere in the daily lives of ordinary citizens, and there is no general monitoring of private correspondence or telephones. Under the law, homes may be searched only under authority of a warrant issued by the attorney general. An exception exists, however, in national security cases, where a special law permits surveillance, searches, and monitoring of telephones and correspondence without a warrant. This law is used against persons suspected of opposition to the Government.

The Government encourages participation in the CR's and also in organizations being formed to support the Popular Front. However, it was still not clear in 1989 if lack of participation will result in dismissals from civil service positions, as was the case in previous regimes.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

While there is no formal government censorship, the Government employs intimidating methods to limit freedom of speech and press. For example, repeated references by the regime to enemies of the State at home and abroad inhibit both government-employed journalists and ordinary citizens from expressing critical views. Similarly, it uses occasional dismissals from government service and arbitrary arrest to quash debate on political topics. In 1989 several persons were arrested and held briefly for distributing political leaflets.

Under the control of the Minister of Information, the media, which consists of a daily newspaper, a weekly magazine, a monthly magazine, and radio and television stations, are all government owned, and all journalists are civil servants. The media do not engage in serious criticism of the Government and

reflects government positions on both international and national issues. Journalists who try to report stories without political bias may be replaced for failing to support sufficiently the political views of the Government. In 1989 a private newspaper, L'Observateur, attempted to publish its first edition since it was burned down in 1984. The Government quickly cut off the electricity and stationed police at the doors, ostensibly because the newspaper did not have the proper permits. It subsequently made it clear that no permit will be granted. A small, private all-music radio station authorized to broadcast in the last days of the Sankara administration remains closed as well, after being shut down in the first days of the Compaore Government.

A new information code has been pending for more than a year. A number of proposed provisions involve insuring government control of any means of communication, publicly or privately owned, and government licensing of journalists. It would also institute prison terms or fines for violation of the code.

Foreign newspapers and magazines entered the country freely during 1989. For the most part, foreign journalists traveled freely and filed stories without censorship and enjoyed access to government officials. Films are subject to censorship by a review board which includes religious authorities as well as government officials. There were no known instances of political censorship of movies. There is no interference with international radio broadcasts.

b. Freedom of Peaceful Assembly and Association

Under both the Sankara and Compaore Governments, political parties as such have been banned, and administrative permission is generally required for assemblies of any kind. However, in 1989 the Government permitted several small political groupings to meet more or less openly, with the more centrist groups invited to join the Government's popular front. Nonpolitical associations for business, religious, cultural, and other purposes exist and experience no difficulty in obtaining permission to meet or in associating with international bodies in their fields.

For a discussion of freedom of association as it applies to labor unions, see Section 6.a.

c. Freedom of Religion

Burkina Faso is a secular state, and there is no official discrimination on religious grounds. Islam and Christianity exist side by side, with about 40 percent of the population Muslim and about 15 percent Christian. The remainder of the population practices traditional African religions. Muslim and Christian holidays are recognized as national holidays. Social mobility and access to modern sector jobs are neither linked to, nor restricted by, religious affiliations.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Travelers within Burkina Faso are routinely stopped at police and military checkpoints. There appears to be little restriction on foreign travel for business and tourism. Exit permits, once used to limit movements of workers to neighboring countries, particularly to Cote d'Ivoire where 2 million or more Burkinabe continue to reside and work, are no longer required.

BURKINA FASO

Refugees are accepted freely in Burkina Faso, and attempts are made to provide for their care in cooperation with the United Nations High Commissioner for Refugees. There were approximately 270 refugees and displaced persons in Burkina Faso at the end of 1989, mainly from Chad.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government through democratic procedures. The military have dominated the political process since 1980 through four changes in leadership. To bolster his popular front, President Compaore has taken some steps to create an opening to small conservative and centrist political forces, but he has not publicly indicated any movement toward a constitution, national elections, or political parties in the future. He relies on an amorphous grouping of people, including military officers, to help run the Government and has a loose network of Revolutionary Committees throughout the country to mobilize support.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There were no known international investigations of Burkina in 1989. A new, local human rights organization, the Burkina Movement for Human Rights and Rights of Peoples (MBDHP), was formed, led publicly by the President, Administrative Chamber of the Superior Court. While the MBDHP has not directly publicly criticized the Government on specific human rights issues, after the September executions it publicly reaffirmed its opposition to the death penalty and the need in Burkina for fair public trials. Privately, it has brought a number of specific issues to the attention of the Government, such as the treatment of prisoners immediately after the September 1989 coup plot. Members were not harassed in 1989.

Section 5 Discrimination Based on Race, Sex, Religion, Language, or Social Status

Minority ethnic groups are as likely to be represented in the inner circles of the Government as are the dominant Mossi, who comprise 50 percent of the population. Government decisions do not favor one ethnic group over another.

In the largely rural African society of Burkina Faso, women still occupy a subordinate position. Women supply much of the labor in family farming and are active in the market economy. The Government is committed to expanding opportunities for women, including in cabinet and civil service positions.

Women make up one-fourth of the government work force, which represents one-third of the total salaried work force in the country. Women make up approximately one-third of the total student population in the primary, secondary, and advanced school systems. While there is no known discrimination against women in the granting of scholarships for advanced study, schools in rural areas have disproportionately fewer girls than schools in urban areas.

Violence against women, expecially wife beating, occurs fairly frequently in the rural areas, less often in the urban areas. The Government is attempting through the National Women's

Association (UFB) to educate people on the subject. Specific cases can be brought to the UFB which attempts to offer protection and counsel. Such cases are sometimes brought before a "popular conciliation tribunal" for mediation. The Government also sponsors campaigns against female genital mutilation, which still occurs in many rural areas, although it is becoming less common in urban centers. Another form of multilation is by scarring the face of both boys and girls of certain ethnic groups, which is rapidly disappearing. The UFB also takes the leadership in these campaigns.

Section 6 Worker Rights

a. The Right of Association

Workers have traditionally had the legal right to associate. There are a number of autonomous unions and five labor federations. Organized labor continues to be an important force in Burkina Faso. All unions jealously guard their limited independence from the Government. However, despite legal rights, the unions have been prevented from engaging in activities the Government opposes. Under the previous regime, many labor leaders were arrested and held for long periods. Some were reportedly tortured. One former trade union official was detained briefly in September 1989, allegedly in connection with a nonunion dispute.

Organized labor has the legal right to strike, but the Sankara government eliminated this right in practice. The Compaore Government has not faced major labor unrest, and its attitude has yet to be tested. There were several minor strikes in 1989. The International Labor Organization's (ILO) Committee of Experts noted with satisfaction in 1989 that all the teachers dismissed following a strike in 1989 had been reinstated, that sanctions against officials had been lifted, and that all political prisoners and admistrative detainees had been freed.

The largest federation, the National Organization of Free Trade Unions, is affiliated with the International Confederation of Free Trade Unions. Another federation is affiliated with the World Confederation of Labor, and a third is affiliated with the Communist-controlled World Federation of Trade Unions. The other two federations are unaffiliated. The five federations take turns representing labor at the ILO meetings and participate in African regional labor meetings as well.

b. The Right to Organize and Bargain Collectively

Unions have the right to bargain for wages and other benefits within a specific bargaining unit, such as a company or factory, but cannot bargain industry-wide. They represent the interests of their members in the private and public sectors, as well as before the labor inspection service of the Government and before the courts.

There are no export processing zones in Burkina Faso.

c. Prohibition of Forced or Compulsory Labor

Forced labor is not employed and is prohibited by law.

BURKINA FASO

d. Minimum Age for Employment of Children

The labor code sets the minimum age for employment at 14, the average age for completion of basic secondary school. However, the Government lacks the means to enforce this provision adequately, even in the small-wage sector. Most children actually begin work at an earlier age owing to the large number of small, family subsistence farms and the traditional apprenticeship system.

e. Acceptable Conditions of Work

A minimum monthly wage of about $75 and a maximum workweek of 48 hours are stipulated by the labor code, as are safety and health provisions. This minumum wage is not adequate for a worker to support a family, and wage workers usually must rely on supplementing income through the extended family and subsistence agriculture. A system of government inspections and labor courts ensures that these provisions are applied in the small industrial and commercial sectors, but they have been impossible to enforce in the dominant subsistence agriculture sector which involves 90 percent of the population.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21261
20 April 1990

ORIGINAL: ENGLISH

LETTER DATED 19 APRIL 1990 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to my report of 15 March 1990 (S/21194) concerning the United Nations Observer Group in Central America (ONUCA) which was approved by the Security Council in resolution 650 (1990). In paragraph 11 of that report I indicated that I had asked certain Member States to contribute the 119 additional military observers which were required to cover the shortfall in Phase III of ONUCA's deployment and to permit the early deployment of Phase IV.

In addition to an offer of 13 additional observers from one of the existing contributing governments, I have now received offers from the Governments of Brazil, Ecuador, India and Sweden to contribute a total of 85 military observers; the decision of a fifth Member State is awaited.

Having consulted the governments of the five countries in which ONUCA is deployed, I propose to accept the offers of the Governments of Brazil, Ecuador, India and Sweden.

I should be grateful if you would bring this matter to the attention of the Members of the Security Council.

(Signed) Javier PEREZ de CUELLAR

90-10437 1591h (E)

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21262
20 April 1990

ORIGINAL: ENGLISH

LETTER DATED 20 APRIL 1990 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 19 April 1990 concerning the composition of the United Nations Observer Group in Central America (ONUCA) (S/21261) has been brought to the attention of the members of the Council.

They have considered the matter and agreed to the proposal in your letter.

(Signed) Tesfaye TADESSE
President of the Security Council

90-10443 1687d (E)

UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/45/228
S/21263
23 April 1990
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-fifth session
Item 35 of the preliminary list*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 23 April 1990 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, and further to our previous letters concerning Israeli practices in Lebanon, I have the honour to inform you that on 9 April last, the Israeli occupation forces and the militias subordinate to them demolished the government elementary school in the village of At-Tiri in the occupied zone of southern Lebanon. The engineering unit attached to the militias evacuated 150 pupils from the school before blowing it up and causing a large conflagration which the Irish contingent of UNIFIL hastened to extinguish.

The Lebanese Government, which strongly condemns this Israeli act of aggression, calls the attention of international public opinion, as represented by the United Nations, to the fact that Israeli practices in breach of international law and custom, which are in defiance of the most elementary principles of human rights, have reached the extent of violating the basic right of village children to education.

Lebanon urges the international community to take speedy action to halt these inhuman Israeli practices.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under item 35 of the preliminary list, and of the Security Council.

(Signed) Khalil MAKKAWI
Ambassador
Permanent Representative

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* A/45/50.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21264
23 April 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 23 APRIL 1990 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the Iranian armed forces have committed the following violations of the cease-fire provisions:

1. At 0630 hours on 11 April 1990, the Iranians were observed installing a BKC machine-gun in the Curve area near the new Iranian tower at co-ordinates 585718, 1,500 metres from our VI Army Corps units.

2. At 0805 hours on 11 April 1990, an Iranian engineering unit consisting of two excavators, a bulldozer and seven dump trucks was observed approaching from the Iranian rear, coming to a halt in the Curve area at co-ordinates 582721 and there improving and raising the height of the Iranian rampart, 1,200 metres from our VI Army Corps units.

3. At 0750 hours on 11 April 1990, an Iranian engineering unit consisting of a bulldozer, two rollers and three dump trucks was observed strengthening an embankment at co-ordinates 681153, 1,300 metres from our VII Army Corps units.

4. At 1600 hours on 11 April 1990, an Iranian engineering unit consisting of eight dump trucks was observed carrying earth to the embankment at co-ordinates 636164, 1,100 metres from our VII Army Corps units.

5. At 0930 hours on 11 April 1990, an Iranian engineering unit consisting of an excavator and four dump trucks was observed strengthening an embankment at co-ordinates 246716, 600 metres from our VII Army Corps units.

6. At 0930 hours on 11 April 1990, a fork-lift and two dump trucks were observed unloading five semi-circular concrete shelter sections at co-ordinates 333573, 500 metres from our VII Army Corps units.

7. At 0940 hours on 11 April 1990, an Iranian engineering unit consisting of an excavator and three dump trucks was observed strengthening an embankment at co-ordinates 282689, 600 metres from our VII Army Corps units.

8. At 1210 hours on 11 April 1990, a fork-lift and a dump truck were observed unloading five concrete pipes and placing them behind the embankment at co-ordinates 317574, 600 metres from our VII Army Corps units.

9. At 2100 hours on 11 April 1990, two groups of Iranian forces personnel, one consisting of 15 persons of whom two were armed with automatic rifles and the other of four unarmed persons, approached to within 100 and 150 metres of our units at co-ordinates 541875 and 543876 respectively and then returned to their positions.

10. At 1000 hours on 12 April 1990, the Iranians were observed installing a 120-mm mortar to the north of Musiyan at co-ordinates 260541, 6,000 metres from our IV Army Corps units.

11. At 0810 hours on 12 April 1990, an Iranian engineering unit consisting of an excavator, a grader and eight dump trucks was observed carrying earth from the Curve area at co-ordinates 582721 to the area beyond the Dasm rampart, 1,200 metres from our VI Army Corps units.

12. At 0800 hours on 12 April 1990, an Iranian engineering unit consisting of seven dump trucks and a roller was observed strengthening the embankment at co-ordinates 678154, 1,300 metres from our VII Army Corps units.

13. At 1745 hours on 12 April 1990, two Iranians were observed fishing at co-ordinates 546251, 700 metres from our VII Army Corps units.

14. At 1510 hours on 13 April 1990, seven Iranians erected a tent behind the east bank of the Doveirij river to the north of Musiyan at co-ordinates 251019, 2,500 metres from our IV Army Corps units.

15. At 1300 hours on 14 April 1990, six Iranians proceeded to build a hut of reeds on the Kanjan bridge at co-ordinates 156784, 650 metres from our II Army Corps units.

16. Between 1700 and 1730 hours on 14 April 1990, the Iranians proceeded to build a hut of reeds at co-ordinates 153779, 350 metres from our II Army Corps units.

17. At 1000 hours on 14 April 1990, a fork-lift carrying semi-circular concrete shelter sections was observed coming from the Iranian rampart to the Iranian monitoring post in no man's land and unloading the sections at co-ordinates 921972, 1,900 metres from our III Army Corps units.

18. At 1610 hours on 14 April 1990, an Iranian boat carrying six persons was observed setting out from the Iranian observation post at co-ordinates 593611, stopping at co-ordinates 599583, and then returning directly to its point of departure, 1,800 metres from our VI Army Corps units.

19. At 1500 hours on 14 April 1990, a fork-lift was observed installing concrete shelters at co-ordinates 569198, 700 metres from our VII Army Corps units.

20. At 1730 hours on 14 April 1990, two Iranians were observed fishing in the Shatt al-Arab at co-ordinates 545253, 600 metres from our VII Army Corps units.

21. At 1030 hours on 24 April 1990, an Iranian engineering unit consisting of an excavator, a roller and three dump trucks was observed building a position in the rear behind the first embankment at co-ordinates 295685, 1,300 metres from our VII Army Corps units.

22. At 0715 hours on 15 April 1990, the Iranians were observed installing a single-barrel machine-gun behind the east bank of the Doveirij river and to the north of Musiyan at co-ordinates 265041, 6,000 metres from our III Army Corps units.

23. Between 0720 and 1200 hours on 15 April 1990, a Poclain excavator was observed digging a 200-metre-long slit trench parallel to the front at co-ordinates 247052, 5,000 metres from our III Army Corps units.

24. At 0855 hours on 15 April 1990, an Iranian engineering unit consisting of an excavator, a bulldozer and four dump trucks was observed carrying earth from the rear to the embankment at co-ordinates 274698, 600 metres from our VII Army Corps units.

25. At 0900 hours on 15 April 1990, an Iranian engineering unit consisting of a bulldozer, a roller, a tanker truck and seven dump trucks was observed building an earth embankment at co-ordinates 409558, 700 metres from our VII Army Corps units.

26. At 1130 hours on 15 April 1990, the Iranians proceeded to extend a 10-metre-long earth spit into the southern loop of the Abadan river at co-ordinates 354597, 600 metres from our VII Army Corps units.

27. At 1150 hours on 15 April 1990, the Iranians proceeded to build a guard post of sandbags 1 metre high and 1.5 metres wide at co-ordinates 343719, 600 metres from our VII Army Corps units.

28. At 0820 hours on 16 April 1990, the Iranians proceeded to build a position on the earth mound located at the Iranian monitoring post in no man's land at co-ordinates 921971, 1,900 metres from our III Army Corps units.

29. At 0900 hours on 16 April 1990, the Iranians proceeded to build a 7-metre-high earth mound behind the first embankment at co-ordinates 929848, 800 metres from our III Army Corps units.

30. At 1230 hours on 16 April 1990, the Iranians proceeded to build a guard post on the first Iranian embankment at co-ordinates 948778, 1,000 metres from our III Army Corps units.

31. At 0800 hours on 16 April 1990, an Iranian engineering unit consisting of an excavator and seven dump trucks was observed strengthening the embankment at co-ordinates 549219, 800 metres from our III Army Corps units.

32. At 1930 hours on 16 April 1990, a fork-lift was observed installing 10 semi-circular concrete shelter sections at co-ordinates 514398, 650 metres from our VII Army Corps units.

33. At 0820 hours on 16 April 1990, an Iranian engineering unit consisting of three dump trucks was observed carrying earth to the forward embankment at co-ordinates 283689, 600 metres from our VII Army Corps units.

34. At 0820 hours on 16 April 1990, an Iranian engineering unit consisting of a bulldozer, two rollers, four dump trucks and a tanker truck was observed modifying the embankment at co-ordinates 268703, 600 metres from our VII Army Corps units.

35. At 0830 hours on 16 April 1990, an Iranian engineering unit consisting of an excavator, three dump trucks and a tanker truck was observed carrying earth to the embankment at co-ordinates 374595, 600 metres from our VII Army Corps units.

36. At 0950 hours on 16 April 1990, an Iranian engineering unit consisting of three dump trucks was observed carrying earth for the construction of an embankment at co-ordinates 358595, 600 metres from our VII Army Corps units.

37. At 0830 hours on 16 April 1990, an Iranian engineering unit consisting of a bulldozer, a roller and three dump trucks was observed modifying the area opposite the Shatt al-Arab at co-ordinates 312556, 600 metres from our VII Army Corps units.

38. At 1030 hours on 16 April 1990, an Iranian engineering unit consisting of two excavators, eight dump trucks and a tanker truck was observed building a rampart and an earth road at co-ordinates 238719, 600 metres from our VII Army Corps units.

39. At 1650 hours on 16 April 1990, three tractor-trailers carrying 11 semi-circular concrete sections together with three fork-lifts were observed unloading two of the sections at co-ordinates 275696 and the remainder at co-ordinates 272699, 600 metres from our VII Army Corps units.

40. At 1400 hours on 17 April 1990, the Iranians proceeded to build a fence of corrugated iron sheets in order to conceal the movement of the persons manning the Iranian observation post at co-ordinates 514398, 650 metres from our VII Army Corps units.

41. At 1700 hours on 17 April 1990, three Iranians were observed swimming in the Shatt al-Arab at co-ordinates 491369, 500 metres from our VII Army Corps units.

42. At 0800 hours on 17 April 1990, an Iranian was observed fishing at co-ordinates 498333, 500 metres from our VII Army Corps units.

43. At 0845 hours on 17 April 1990, an Iranian engineering unit consisting of a roller and six dump trucks was observed levelling earth on the embankment at co-ordinates 367596, 600 metres from our VII Army Corps units.

44. At 0910 hours on 17 April 1990, a fork-lift was observed unloading three large pipes from a tractor-trailer at co-ordinates 365595, 600 metres from our VII Army Corps units.

45. At 1045 hours on 17 April 1990, a fork-lift was observed placing eight semi-circular concrete shelter sections at co-ordinates 403565, 700 metres from our VII Army Corps units.

46. At 1830 hours on 17 April 1990, an Iranian boat proceeded to unload 15 wire obstacles 3 metres in front of the Iranian monitoring post located in no man's land at co-ordinates 926850, 750 metres from our III Army Corps units.

47. Between 1540 and 1820 hours on 17 April 1990, a Poclain excavator was observed extending by another 170 metres, for a total length of 370 metres, the slit trench to the north of Musiyan at co-ordinates 252040, 370 metres from our IV Army Corps units.

48. At 0645 hours on 18 April 1990, an Iranian engineering unit consisting of 10 dump trucks and a pick-up truck was observed strengthening the embankment at co-ordinates 669155, 1,100 metres from our VII Army Corps units.

49. At 0840 hours on 18 April 1990, an Iranian engineering unit consisting of an excavator and 11 dump trucks was observed strengthening the embankment at co-ordinates 547252, 750 metres from our VII Army Corps units.

50. At 0700 hours on 18 April 1990, an Iranian engineering unit consisting of an excavator and six dump trucks was observed strengthening the embankment at co-ordinates 551211, 600 metres from our VII Army Corps units.

51. At 1600 hours on 18 April 1990, the Iranians proceeded to build a shelter of sandbags at co-ordinates 569198, 600 metres from our VII Army Corps units.

52. At 1630 hours on 18 April 1990, the Iranians proceeded to build a guard post of sandbags at co-ordinates 554307, 700 metres from our VII Army Corps units.

53. At 0900 hours on 18 April 1990, an Iranian engineering unit consisting of an excavator and 10 dump trucks was observed mending a road at co-ordinates 544498, 700 metres from our VII Army Corps units.

54. At 0930 hours on 18 April 1990, an Iranian engineering unit consisting of a bulldozer, a grader, two rollers, a tanker truck and four dump trucks was observed modifying the embankment at co-ordinates 269702, 600 metres from our VII Army Corps units.

55. At 0950 hours on 18 April 1990, an Iranian engineering unit consisting of 10 dump trucks was observed increasing the height of the earth rampart between co-ordinates 370595 and 372595, 600 metres from our VII Army Corps units.

56. At 1850 hours on 18 April 1990, an Iranian truck and fork-lift were observed placing four circular concrete pipes behind the earth rampart at co-ordinates 308592, 700 metres from our VII Army Corps units.

57. At 1700 hours on 18 April 1990, the Iranians placed an additional BKC machine-gun on the first embankment at co-ordinates 945813, 700 metres from our III Army Corps units.

58. At 1800 hours on 18 April 1990, the Iranians proceeded to make an opening 2 metres wide and 2.5 metres deep in the first Iranian embankment at co-ordinates 948768, 1,200 metres from our III Army Corps units.

59. At 0850 hours on 19 April 1990, the Iranians proceeded to widen the road linking the Iranian ambush position with the Iranian rampart at co-ordinates 922972, 2,000 metres from our III Army Corps units.

60. At 0850 hours on 19 April 1990, the Iranians proceeded to increase to a height of 8 metres the earth mound located at co-ordinates 927855, 1,500 metres from our III Army Corps units.

61. At 0600 hours on 19 April 1990, an Iranian engineering unit consisting of an excavator, a grader and eight dump trucks was observed strengthening the embankment at co-ordinates 669155, 1,100 metres from our VII Army Corps units.

62. At 0640 hours on 19 April 1990, 10 Iranians wearing civilian clothing were observed fishing in the Shatt al-Arab at co-ordinates 547256, 700 metres from our VII Army Corps units.

63. At 0800 hours on 19 April 1990, an Iranian engineering unit consisting of five dump trucks was observed carrying earth to the embankment at co-ordinates 547223, 700 metres from our VII Army Corps units.

64. At 0940 hours on 19 April 1990, an Iranian engineering unit consisting of three dump trucks was observed carrying earth to the forward embankment at co-ordinates 358595, 700 metres from our VII Army Corps units.

65. At 0945 hours on 19 April 1990, an Iranian engineering unit consisting of a bulldozer, a grader, a roller and four dump trucks was observed modifying the embankment at co-ordinates 269702, 600 metres from our VII Army Corps units.

66. At 0945 hours on 19 April 1990, an Iranian engineering unit consisting of three dump trucks was observed carrying earth to the forward embankment at co-ordinates 282693, 600 metres from our VII Army Corps units.

67. At 1040 hours on 19 April 1990, a fork-lift was observed placing five 1-metre-long concrete blocks behind the earth rampart at co-ordinates 311588, 700 metres from our VII Army Corps units.

68. At 1100 hours on 19 April 1990, an Iranian bulldozer was observed levelling earth on the embankment at co-ordinates 367595, 600 metres from our VII Army Corps units.

69. At 1100 hours on 19 April 1990, an Iranian engineering unit consisting of an excavator, a roller and six dump trucks was observed levelling earth on the embankment at co-ordinates 367596, 600 metres from our VII Army Corps units.

70. At 1500 hours on 19 April 1990, the Iranians proceeded to build a new firing position to the west of hill 1238 among the Iranian positions at co-ordinates 362849, 1,600 metres from our I Army Corps units.

71. At 1500 hours on 19 April 1990, the Iranians hoisted a new flag in the Dawlah area at co-ordinates 445844, 1,600 metres from our I Army Corps units.

72. At 1845 hours on 19 April 1990, the Iranians proceeded to build two guard posts on the first Iranian embankment at co-ordinates 947781 and 947782, 900 metres from our III Army Corps units.

73. At 1132 hours on 20 April 1990, eight Iranians proceeded to build a personnel position to the north of hill 2231 among the Iranian positions at co-ordinates 691629, 1,000 metres from our I Army Corps units.

74. At 1135 hours on 20 April 1990, the Iranians proceeded to build a new 20-metre-long communications trench between their positions to the south of hill 1241 at co-ordinates 355818, 1,100 metres from our I Army Corps units.

75. At 1020 hours on 20 April 1990, the Iranians proceeded to build an 8-metre-high earth mound behind the Iranian rampart at co-ordinates 939884, 3,700 metres from our III Army Corps units.

76. At 1240 hours on 20 April 1990, the Iranians proceeded to build a position of blocks on the Iranian rampart at co-ordinates 928875, 2,700 metres from our III Army Corps units.

77. At 0600 hours on 20 April 1990, an Iranian engineering unit consisting of an excavator, a grader and 10 dump trucks was observed strengthening an embankment at co-ordinates 669155, 1,100 metres from our VII Army Corps units.

78. At 0730 hours on 20 April 1990, a large truck with a fork-lift was observed unloading three semi-circular concrete shelter sections at co-ordinates 613169, 800 metres from our VII Army Corps units.

79. At 0830 hours on 20 April 1990, 13 dump trucks were observed carrying earth to the embankment at co-ordinates 569198, 700 metres from our VII Army Corps units.

80. At 0900 hours on 20 April 1990, the Iranians proceeded to install a four-barrel machine-gun on an old mound at co-ordinates 527316, 1,200 metres from our VII Army Corps units.

81. At 1115 hours on 20 April 1990, an Iranian engineering unit consisting of an excavator and three dump trucks was observed connecting the earth ramparts at co-ordinates 547270, 900 metres from our VII Army Corps units.

82. At 1015 hours on 20 April 1990, an Iranian engineering unit consisting of a grader and three dump trucks was observed levelling the embankment at co-ordinates 367595, 600 metres from our VII Army Corps units.

83. At 1100 hours on 20 April 1990, a Poclain fork-lift was observed placing five black-coloured pipes at co-ordinates 385586, 700 metres from our VII Army Corps units.

84. At 1800 hours on 20 April 1990, the Iranians proceeded to fortify an old 1.5-metre-high shelter with sandbags at co-ordinates 519424, 500 metres from our VII Army Corps units.

Flooding operation

The Iranian side is continuing its flooding operation in the direction of our III Army Corps opposite the defensive positions of our military units. The water levels have been as follows:

85. 11 April 1990

Between co-ordinates 678327 and 902203, 0-80 centimetres;
Between co-ordinates 902203 and 902904, 45-160 centimetres;
Between co-ordinates 902904 and 989731, 15-145 centimetres.

86. 12 April 1990

Between co-ordinates 678327 and 902203, 0-80 centimetres;
Between co-ordinates 902203 and 902904, 45-160 centimetres;
Between co-ordinates 902904 and 989731, 15-145 centimetres.

87. 13 April 1990

Between co-ordinates 678327 and 902203, 0-80 centimetres;
Between co-ordinates 902203 and 902904, 45-160 centimetres;
Between co-ordinates 902904 and 989731, 15-140 centimetres.

88. 14 April 1990

Between co-ordinates 678327 and 902203, 0-80 centimetres;
Between co-ordinates 902203 and 902904, 45-155 centimetres;
Between co-ordinates 902904 and 989731, 15-145 centimetres.

89. 15 April 1990

Between co-ordinates 678327 and 902203, 0-80 centimetres;
Between co-ordinates 902203 and 902904, 45-150 centimetres;
Between co-ordinates 902904 and 989731, 10-145 centimetres.

90. 16 April 1990

Between co-ordinates 678327 and 902203, 0-80 centimetres;
Between co-ordinates 902203 and 902904, 38-150 centimetres;
Between co-ordinates 902904 and 989731, 12-130 centimetres.

91. 17 April 1990

Between co-ordinates 678327 and 902203, 0-80 centimetres;
Between co-ordinates 902203 and 902904, 40-160 centimetres;
Between co-ordinates 902904 and 989731, 12-135 centimetres.

92. 18 April 1990

Between co-ordinates 678327 and 902203, 0-80 centimetres;
Between co-ordinates 902203 and 902904, 40-160 centimetres;
Between co-ordinates 902904 and 989731, 10-140 centimetres.

93. 19 April 1990

Between co-ordinates 678327 and 902203, 0-80 centimetres;
Between co-ordinates 902203 and 902904, 40-160 centimetres;
Between co-ordinates 902904 and 989731, 9-140 centimetres.

94. 20 April 1990

Between co-ordinates 678327 and 902203, 0-80 centimetres;
Between co-ordinates 902203 and 902904, 40-160 centimetres;
Between co-ordinates 902904 and 989731, 10-140 centimetres.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/44/938
S/21265
24 April 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fourth session
Agenda item 47
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-fifth year

Letter dated 23 April 1990 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention that the letters dated 27 March and 12 April 1990, addressed to you from the Permanent Representative of Turkey to the United Nations, and circulated as documents of the General Assembly and the Security Council (A/44/932-S/21212) and (A/44/937-S/21245), are in abuse of the processes and the mechanisms that have been established in the United Nations system in order to promote the cause of the Organization which, among other things, as we all know, is to offer a platform for co-operation and conciliation.

In requesting the circulation of the above-mentioned letters, a practice repeated on numerous occasions in the past, the Permanent Representative of Turkey creates a climate of controversy and promotes an entity which was condemned strongly and unequivocably by the Security Council when resolutions 541 (1983) and 550 (1984) were adopted. To request the Secretary-General to circulate letters and statements emanating from and expressing the views of an illegitimate entity as a document of the Security Council, is an act involving contempt for the very same Security Council which condemned this illegal entity and at the same time requested all United Nations Member States not to recognize it. This behaviour can only be characterized as abusive and insultive to both the Secretary-General and the Security Council.

Suffice it to say that the letter dated 27 March, mentioned above, was used by the Permanent Representative of Turkey to attack the European Parliament, a body outside the structure of the United Nations, expressing the views and opinions of the European Economic Community (EEC), the very Community that Turkey has already applied to join. Turkey has this time gone far beyond the tolerable by accusing the European Parliament of gross bias, adopting worse than useless resolutions and bizarre paragraphs, and arrogating themselves the right to subvert the democratic process or the judiciary.

Nevertheless, it is for the EEC organs in general and the European Parliament in particular, to reply to the Turkish invective and calumny. But at the same time, it is also for the Secretariat to take appropriate steps to put an end to such permissive practices and behaviour. If this practice is allowed to continue, the Republic of Cyprus will be forced to respond and take appropriate action.

My Government's view is that the duty of Turkey's Permanent Representative is to assist the Secretary-General in his good offices mission. Mr. Askin's behaviour undoubtedly undermines and frustrates the effectiveness of the Secretary-General's efforts in his endeavours to achieve a negotiated settlement on the Cyprus problem.

I should be grateful if the present letter and the European Parliament's resolution annexed hereto were circulated as a document of the forty-fourth session of the General Assembly, under agenda item 47, and of the Security Council.

(Signed) Andreas MAVROMMATIS
Ambassador
Permanent Representative of
Cyprus to the United Nations

ANNEX

Text of the resolution on Cyprus adopted by the European Parliament on 15 March 1990

The European Parliament,

Aware that for the last 15 years the island of Cyprus has been illegally divided,

Aware that the European Commission in its opinion of 17 December 1989 states firmly that the Cyprus problem influences particularly the political terms of the request for Turkish accession the EC,

Noting the many previous demands of the European Parliament for a just solution to the Cyprus problem,

Acknowledging the political, cultural and religious complexity of the problems of Cyprus,

Believing that the overwhelming majority of both Turkish and Greek Cypriots desire a peaceful and united Cyprus which guarantees the political, civil and human rights of ALL Cypriots,

Supporting the dedicated and positive efforts which have been made by the Secretary-General of the United Nations to convene negotiations between the President of Cyprus, Mr. George Vassiliou and Mr. Rauf Denktash,

Appreciating the positive negotiating stance being taken by the President of the Republic of Cyprus,

Condemning the actions of Mr. Denktash to attempt to alter the Secretary-General's mandate which led to the collapse of the United Nations initiative on Wednesday, 28 February,

Further condemning the detention of five young Greek Cypriots in the disengaged zone by the Turkish occupation forces,

Believing that the vast majority of Turkish Cypriots also deplore the spoiling tactics of Mr. Denktash,

Calls on the President of the Parliament to:

Urge member States to make their voice heard in opposition to the Denktash moves in New York;

Urge the Turkish Government to demonstrate the will and the spirit of co-operation with a view to resuming the intra-community negotiations according to international law and the resolutions of the United Nations so as to find an acceptable solution to the Cyprus problem;

/...

Ask the Foreign Ministers meeting in political co-operation to consider how best to give support to those progressive Turkish Cypriot community leaders who are prepared to negotiate honestly with the Cyprus Government under the auspices of the United Nations;

Demand the immediate release of the young people illegally imprisoned by the Turkish occupation forces;

Urge the Cypriots to maintain the dignity which has characterized their cause by remaining calm in a climate of growing tension;

Call on the Foreign Ministers to present regular reports to the Parliament on their actions to promote a just solution to the Cyprus problem.

UNITED
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General Assembly Security Council

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A/44/939
S/21266
23 April 1990
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-fourth session
Agenda item 34
THE SITUATION IN CENTRAL AMERICA:
THREATS TO INTERNATIONAL PEACE
AND SECURITY AND PEACE INITIATIVES

SECURITY COUNCIL
Forty-fifth year

Letter dated 23 April 1990 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

I have the honour to write to you to transmit the annexed communiqué concerning the agreements reached on 19 April 1990 in Nicaragua, which was issued on 20 April 1990 by the Office of Diplomatic Information of the Ministry of Foreign Affairs of my country.

I should be grateful if you would arrange to have this note and its annex circulated as an official document of the General Assembly, under agenda item 34, and of the Security Council.

(Signed) Francisco VILLAR

Annex

Communiqué issued on 20 April 1990 by the Office of Diplomatic Information of the Ministry of Foreign Affairs of Spain

The Spanish Government expresses its satisfaction at the agreements reached yesterday between the Government of the Republic of Nicaragua, the Nicaraguan resistance and representatives of the President-elect announcing the cease-fire and setting out a definitive demobilization plan to be implemented between 25 April and 10 June. The Spanish Government extends its congratulations to all who participated in and made possible the signing of such important agreements, fully confident that they represent a decisive step towards national reconciliation and the establishment of a stable and lasting peace in Central America.

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UNITED
NATIONS

General Assembly Security Council

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GENERAL

A/45/229
S/21267
23 April 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Items 23, 35 and 78 of the preliminary list*
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
COMPREHENSIVE REVIEW OF THE WHOLE QUESTION
OF PEACE-KEEPING OPERATIONS IN ALL THEIR
ASPECTS

SECURITY COUNCIL
Forty-fifth year

Letter dated 23 April 1990 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which has the powers and responsibilities of the Provisional Government of Palestine, to bring the following to your attention:

Israel, the occupying Power, persists in committing violations of its international legal obligations, particularly those contained in the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which, inter alia, prohibits an occupying Power from deporting or transferring parts of its own civilian population into the territory it occupies. Israel, furthermore, persists in disregarding the obligations that it should accept and carry out decisions of the Security Council, particularly the Council's resolutions 465 (1980) of 1 March 1980 and 478 (1980) of 20 August 1980.

The declared position of the current Government of Israel was made clear when Prime Minister Shamir affirmed the right of Jews to settle wherever they wished; Member of the Israeli Cabinet Ariel Sharon went beyond that and joined in committing such violations. Moreover, the Speaker of the Knesset, Dov Shilansky, congratulated the perpetrators of the latest of these violations and visited them in the illegally occupied premises in the Christian Quarter of Jerusalem, between the Greek Convent of St. John and the Church of the Holy Sepulchre.

* A/45/50.

In addition to committing a violation of its international legal obligations, Israel committed a violation of the status quo on church property in Jerusalem. It is, further, reported that the funds used in the latest act of aggression were provided by a member of the Israeli Cabinet, Mr. Levy, who reached into the funds of the Keren Kayemet. Members of the international community, particularly members of the Security Council and more precisely the permanent members of the Council, are legally bound to ensure respect for the provisions of the Fourth Geneva Convention and use all the powers vested in the Council to guarantee such respect and oblige Israel, the occupying Power, to abide by its international legal obligations.

On Wednesday, 11 April 1990, a group of Israelis moved into the building in the Christian Quarter of Jerusalem. The building is the church property of the Greek Orthodox Patriarchate. As expected, and in carrying out their duties and exercising their right, Palestinians demonstrated in protest against this aggression. His Beatitude Greek Orthodox Patriarch Diodoros I led a procession from the church to the building and one of the monks in the procession removed a sign bearing the Star of David that was placed by the perpetrators of the aggression to cover the cross on the building. Radio Israel reported that the Israeli police stepped in and used force to disperse the procession and used gas. His Beatitude was assaulted and, as reported by radio Israel, "fell down and later mildly suffered from tear-gas inhalation; one of the crosses on his chest was broken".

In this context it is worth recalling the statement by His Beatitude Michael Sabah, the Latin Patriarch of Jerusalem, in which he said: "If this process of appropriation of buildings continues, it would signify emptying the city of Christians. If I look at this affair from the point of view of the Palestinians, from their fate, I have to say there will be very strong, very violent reactions."

In pursuing its annexationist policies and practices and to divert attention from the facts and international legal obligations, Israel has decided to convert the situation to a procedural issue relative to the powers of magistrate courts and high courts.

I am instructed to request you to take immediate action and, if need be, concrete measures, to ensure respect for the provisions of the Fourth Geneva Convention, to reaffirm the illegality of such measures by Israel and to ensure the immediate evacuation of the said building, a church property. I am also instructed to warn against permitting the Security Council and the Secretary-General to become embroiled in procedural issues, ignoring the basic premise namely, that Israel is responsible for such violations and aggression and is obliged to respect its international legal obligations, and to respect and carry out the decisions of the Security Council.

I should be grateful if you would arrange to have the text of the present letter circulated as an official document of the General Assembly, under agenda items 23, 35 and 78, and of the Security Council.

(Signed) Zuhdi Labib TERZI
Permanent Observer of Palestine
to the United Nations

UNITED
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General Assembly Security Council

Distr.
GENERAL

A/45/230
S/21268
23 April 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Items 92, 104, 112 and 113
of the preliminary list*
EFFECTIVE IMPLEMENTATION OF UNITED NATIONS INSTRUMENTS ON HUMAN RIGHTS AND EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO SUCH INSTRUMENTS
ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN
TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT
ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF PERIODIC AND GENUINE ELECTIONS

SECURITY COUNCIL
Forty-fifth year

Letter dated 23 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General

I have been instructed by my Government to draw your attention to the attached extract from Country Reports on Human Rights Practices for 1989, published by the Department of State of the United States of America, which contains information on the situation concerning human rights in Mali (including the persistence of the practice of slavery). I have underlined passages of special relevance.

In view of the importance of this information, I have the honour to request that the text of the present letter and the attached extract be issued as an official document of the General Assembly, under items 92, 104, 112 and 113 of the preliminary list, and of the Security Council.

(Signed) Johanan BEIN
Ambassador
Acting Permanent Representative

* A/45/50.

ANNEX*

101st Congress
2d Session

JOINT COMMITTEE PRINT

COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1989

REPORT

SUBMITTED TO THE

COMMITTEE ON FOREIGN AFFAIRS
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AND THE

COMMITTEE ON FOREIGN RELATIONS
U.S. SENATE

BY THE

DEPARTMENT OF STATE

IN ACCORDANCE WITH SECTIONS 116(d) AND 502B(b) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

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* Underlining has been added by the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations.

MALI

Mali is a single-party state in which effective authority is exercised by General Moussa Traore, President of the Republic and Secretary General of the Democratic Union of the Malian people (UPDM), the country's only legal political party and supreme political entity. President Traore assumed power through a military coup in 1968, and under his leadership the military Government adopted a new Constitution in 1974. Since then, the military have retained a privileged position, but civilians have an increasingly important role in daily government operations and in the party. Military men continue to occupy 4 of the 7 regional governorships, 11 of the 46 districts, and an important number of lower level administrative posts, particularly in the border areas.

Mali maintains an army and air force, which provide both external and internal security. The gendarmerie (paramilitary police) assists in maintaining internal security.

With an annual per capita gross national product of approximately $190, Mali is among the world's poorest countries. Mali is landlocked and lacks major mineral resources. Its economy rests on subsistence farming and animal husbandry. Good rainfalls for the second year in a row increased agricultural production and permitted some export of grains. However, it is too soon to say whether the cycle of drought and economic depression that has affected Mali in recent decades is over. Malnutrition, poor food distribution systems, and widespread unemployment remain persistent problems. Throughout 1989 the Government continued its efforts to modernize the economy, particularly through fiscal reform and privatization of state enterprises, but Mali remains heavily dependent on external aid.

Human rights remained circumscribed in Mali in 1989. The Government did permit publication of an independent newspaper and the establishment of a nongovernmental human rights organization. The infamous Taodenit prison remained closed. However, security authorities mistreated several students and held them incommunicado for several months for distributing pamphlets. Significant human rights problems included arbitrary detention, abuse of detainees, and restrictions on fair trial, freedoms of speech, press, and association, the right of citizens to change their government through democratic means, and worker rights.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

No politically motivated killings were reported.

b. Disappearance

No incidents of disappearance, abduction, or hostage-taking were reported.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Government has issued specific instructions prohibiting brutality against suspects. However, physical abuse of

suspected persons sometimes occurs during police interrogation or in confronting demonstrations. In 1989 authorities accused eight students of distributing political tracts and held them in incommunicado detention for 2 months. According to credible sources, they were seriously mistreated, and at least one of the students was tied and suspended by his hands for a prolonged period while undergoing interrogation. No officials were prosecuted or even reprimanded for these actions.

Prison conditions are harsh and characterized by inadequate medical facilities and food supplies. Mali's most infamous prison--Taodenit--was closed in 1988. In the past, the abysmal conditions at Taodenit contributed to the deaths of prisoners, including political prisoners held there. Amnesty International has called for a full and independent inquiry into the Taodenit deaths.

d. Arbitrary Arrest, Detention, or Exile

The Malian judicial system is based on the French model. Detained persons do not have the right to a judicial determination of the legality of their detention, but arrests cannot be made without formal charges. In political cases, the authorities do not always follow this practice, and incommunicado detention is sometimes utilized, as in the case of the eight students. Malian law does not provide for release on bail, but detainees are sometimes released on their own recognizance. Administrative backlogs often cause delays in bringing people to trial. Detainees are usually allowed access to a lawyer of their choice.

With regard to forced or compulsory labor, see Section 6.c.

e. Denial of Fair Public Trial

A part of the executive branch, the judiciary is not independent. The Ministry of Justice supervises both law enforcement and judicial functions. The Supreme Court is the highest court, with both judicial and administrative powers. The National Assembly can convene a high court of justice to hear cases against state ministers, but this court did not meet during 1989.

The eight students mentioned above were finally charged in August under a statute prohibiting the distribution of politically inflammatory material. When their case came to trial, seven were acquitted, and the court suspended the sentence of the one student who was found guilty.

Corruption remains a major political issue, and trials against corrupt officials continued in 1989, notably in the Special Court of State Security, a military court. The Special Court met in June and heard 47 cases. Of the 72 persons found guilty of corruption, 30 were sentenced to life imprisonment and 7 received death sentences. In the Special Court, defendants usually admit guilt in the hope of receiving a more lenient sentence and allow their lawyers to argue mitigating circumstances. The verdict and sentence are rendered by a panel of three judges, including civilian judges and armed force officers. The death penalty is mandatory under the law for anyone convicted of embezzling more than $36,000. However, in most embezzlement trials restitution by the accused can decrease the severity of the sentence. Once convicted, a person can appeal for a presidential pardon or request a new trial. The right to request a presidential

pardon or a new trial exists in mandatory death penalty cases.

As far as is known, there were no political prisoners being held at the end of 1989.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Inviolability of the home is provided for in the Constitution and generally respected in practice. Police searches are infrequent, and warrants are issued and recorded, though sometimes after the fact. Local authorities sometimes seize and open mail extralegally. Under the law, private letters can be opened only if the country is facing political crisis. In such cases, the only organization which may legally open personal mail is the "Securite d'Etat," a special intelligence service responsible to the Presidency.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Malian Constitution does not expressly provide for freedom of speech and press. Malians take care to express criticism of the Government in accepted forums. In theory, criticism is permitted within the councils of the sole political party, which all citizens are encouraged, but not forced, to join. Questioning of government authority outside party deliberations is rare, although not expressly forbidden.

The Government controls most Malian media, which reflect official positions. In some instances media and public criticism of specific programs and of the performance of some government officials is allowed. An independent biweekly newspaper, Les Echos, which often contains sharp political commentary, began publication in 1989. Independent specialty magazines such as Jamana (a cultural publication) and Podium (a sports journal) also contain some political commentary and circulate freely. International publications, including those having articles critical of Mali and its Government, are available. Satire and social criticism, sometimes with a political cast, are occasionally evident in Malian government publications. Government authorities generally seize political tracts printed by organizations not formally recognized by the Government.

Academic freedom does not include the right to criticize the Government, nor is this right extended to the only recognized labor union, which is considered an arm of the Government. The union has, however, occasionally been critical of government policy.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of citizens to form organizations to protect their professional interests, but in reality only selected nonpolitical organizations such as urban professional associations qualify. The primary groups which assemble freely are the women's, youth, and similar associations of Mali's single political party. In 1989 a number of apolitical "amicales" or friendship groups sponsoring exchanges with foreign countries were established, but these associations do not have an overt political agenda.

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For a discussion of freedom of association as it applies to labor unions, see Section 6.a.

c. Freedom of Religion

Mali is a secular state. The Government generally does not discriminate on religious grounds. Although 90 percent of Malians are Muslim, most other religions may practice their faiths freely and are permitted to establish houses of worship as well as schools. Christian missionaries of various faiths enjoy government cooperation. Proselytizing and conversion are permitted, except in the case of the Baha'i, who may practice at home but may not proselytize or establish houses of worship. The Government prohibits publications in which one religious group defames another.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement in Mali is generally unimpeded, although police checks sometimes occur in which Malians and foreigners alike are stopped, particularly at night. These checks are used ostensibly to restrict the movement of contraband goods and to check vehicle registrations. In practice, some police probably supplement their frequently delayed salaries by assessing ad hoc fines or confiscating goods. Malians are free to change residence or workplace. Foreign travel requires an exit visa, which is easy to obtain. Repatriation is not restricted.

In the past drought years, Mali both accepted and generated displaced persons. Several thousand Malians were repatriated from Algeria in 1986 and 1987. In 1989 Mali agreed to accept additional repatriates from Algeria. Mali also permitted entry to a number of persons who were expelled from neighboring Mauritania.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens have no ability to change their government and only limited and infrequent opportunity to influence it. Important policies and decisions are made by a small group--the President, the 19-member Central Executive Bureau of the UDPM, and the Council of Ministers. The memberships of these groups overlap. The military role in governing Mali remains important, but civilian participation in the leadership groups has been growing. Party congresses are called by the President to consider special issues.

Within the one-party system, multiple candidates often contest party elections at the local level, but for National Assembly elections, which are held every 4 years, only one carefully selected party candidate runs for each seat. Proposed legislation is debated and endorsed in the National Assembly after its acceptance by the Council of Ministers and review by the Supreme Court. Party membership is a prerequisite for voting and for holding a civil service appointment or other government position. All citizens are encouraged to join for a nominal fee.

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Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government is generally responsive to inquiries by recognized human rights groups, although it apparently has not replied to Amnesty International's call for an inquiry into Taodenit prison. In 1989 the Government permitted the establishment of a nongovernmental human rights organization, The Malian Association for Human Rights. This organization sponsored a number of seminars on human rights issues in 1989 and is attempting to encourage Malian participation in international human rights meetings.

Section 5 Discrimination Based on Race, Sex, Religion, Language, or Social Status

Mali does not practice religious or ethnic discrimination, nor does it have the civil and racial strife evident in many other multiethnic countries. Virtually all of Mali's ethnic groups are represented at the highest state and party levels. Although some nomadic groups such as the Tamashek are not completely integrated into the economic and political mainstream, Mali is relatively free of ethnic tensions.

Social and cultural factors place men in the dominant position in Mali. However, women play an important economic role, both in market life and in farming. There are a number of women in the professions, but economic opportunity for educated women is limited. Women live under harsh conditions especially in the rural areas.

Violence against women, including wife beating, is accepted in Malian society, but there are no statistics to indicate how widespread it may be. Malian society generally does not tolerate spousal abuse that results in physical injury, but legal action for redress of injury is not normally available. The issue of spousal abuse has not been addressed by the Government. Nor is the National Union of Malian Women (UNFM) actively engaged in this issue. The UNFM focuses primarily on establishing cooperatives, improving health programs, and fostering education. It also campaigns against female circumcision, which is still widely practiced in Mali, including the most extreme form of genital mutilation, infibulation. The Government has taken no public position on this issue.

Traditional practice and existing Malian laws place women at a disadvantage with regard to family law and property rights. A group of female jurists is seeking improved legal protection for women. One issue being addressed by this group pertains to rights of widows. Currently, a widow has no right to her husband's property or custody of children conceived during the marriage.

Section 6 Worker Rights

a. The Right of Association

The Constitution specifically provides for the liberty of citizens to form organizations to protect their "professional interests." However, workers' right of association is limited to the National Union of Malian Workers (UNTM). The UNTM

comprises 12 unions and is Mali's only recognized workers' organization. At present, there are no unions not affiliated with the UNTM. The UNTM claims to maintain a degree of autonomy from the Government, and unlike the women's and youth associations, it is not officially part of the party. It has on occasion offered limited criticism of certain government programs. Nevertheless, it is subject to considerable government influence and control, and the UNTM Secretary General is a party member, although not a member of the Central Executive Council of the UDPM.

Strikes are rarely permitted, and those deemed to be taken for political reasons are illegal. Given Mali's high level of unemployment, most workers are reluctant to strike for long periods of time. By law, any union planning to go on strike must notify the UNTM and obtain prior approval. In the case of student and teacher strikes which took place in 1988, no approval was given, but the strikes still took place and many participants suffered reprisals. The International Labor Organization's (ILO) Committee on Freedom of Association concluded that the resulting government-directed transfers, dismissals, and arrests of teachers constituted an infringement on their freedom of association. Malian teachers continue to have grievances, specifically over the nonpayment of salaries. There were no teacher strikes in 1989, but there were work slowdowns. In September drivers of minibuses in Bamako protested government attempts to impose stricter regulations on their activities. When there was no response to a complaint lodged through the transport union, drivers organized a 1-day protest strike. There were no government reprisals.

The UNTM maintains contacts with international labor organizations, both public and private. The UNTM is affiliated with two international labor bodies: the Organization of West African Workers and the Organization of African Trade Union Unity.

b. The Right to Organize and Bargain Collectively

There are no specific constraints by the Government or employers on workers attempting to organize, but in practice, Mali's unitary party system effectively inhibits the workers' right to organize. True collective bargaining does not take place. The UNTM has a policy role in the agreements negotiated by the individual member unions, and the Government, through the Minister of Labor, must approve all wage and related agreements.

There are no export processing zones in Mali.

c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced or compulsory labor, and this prohibition is generally observed in practice. There have been reports that a form of traditional slavery is still practiced in some isolated parts of the country.

d. Minimum Age for Employment of Children

The minimum age for employment is 14, but with parents' permission children can be apprenticed at 12. In practice, children in rural areas join the family farming work force at a much younger age. As workers in the informal sector, they are not protected by laws against unjust compensation,

excessive hours, and capricious discharge.

e. Acceptable Conditions of Work

Mali has a detailed labor code specifying conditions of employment, including hours, wages, and social security benefits. The normal workweek is 44 hours. The minimum wage is approximately $42.50 per month, which could provide a decent standard of living if it went to support only one person. However, most wage earners support extended families. Health and safety standards vary, depending upon the category of work, but there is limited enforcement due to the lack of inspectors. Employers are required to pay into a national social security fund.

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GENERAL ASSEMBLY
Forty-fifth session
Items 23, 35 and 77 of the
preliminary list*
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE
PALESTINIAN PEOPLE AND OTHER ARABS
OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-fifth year

Letter dated 23 April 1990 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which has the powers and responsibilities of the Provisional Government of Palestine, to enclose herewith the material issued today, 23 April 1990, by the Heads of the Christian Churches and Communities in Jerusalem for your information and action.

I should be grateful if you would arrange to have the text of this letter circulated as an official document of the General Assembly, under items 23, 35 and 77 of the preliminary list, and of the Security Council.

(Signed) Dr. M. Nasser AL-KIDWA
Alternate Permanent Observer
of Palestine to the United Nations

* A/45/50.

ANNEX

Statement of 23 April 1990 issued in Jerusalem by the Heads of the Christian Churches and Communities in Jerusalem

Today, Monday, 23 April 1990, we, the Patriarchs, the Custos, the Heads of the Christian Churches and Communities in Jerusalem, have gathered together to consider our response to the extremely grave events that occurred during Holy Week and their enduring consequences.

In the afternoon of 11 April 1990, Wednesday of Holy Week, 150 settlers, many of them armed men, forcibly occupied St. John's Hospice in the heart of the Christian Quarter of the Old City, a 3,000 square-metre property of the Greek Orthodox Partiarchate.

Their action received support from Israeli authorities. It was financed, at least in great part, by the Government, and there have been visits by government ministers and parliamentary authorities to encourage the settlers. Subsequently, it appears that high-level governmental authorities intervened to restrain the police from carrying out judicial eviction orders.

This action occurred towards the culmination of Holy Week and caused grievous disruption to some of the most solemn rites of the Christian religion, at the holiest shrine of Christendom, the basilica of the Holy Sepulchre Church.

This Government-backed settlers' action continues to provoke almost daily violent incidents in and around the area containing the Holy Sepulchre and the centres of church governance, and has occasioned the provocative presence of numerous armed men in the same restricted area. Consequently, freedom of access to the Holy Sepulchre and freedom of worship within it have been threatened.

This act of armed settlement seriously jeopardizes the integrity, cultural and religious autonomy of the Christian, Armenian and Muslim Quarters, in violation of the centuries-old status and character of these quarters of the Holy City, honoured by all previous rulers of Jerusalem, and the international community (and which the Israeli government authorities have repeatedly pledged themselves to uphold).

This action further endangers the survival of all Christian communities in the Holy City.

We, the Heads of Jerusalem's Christian Churches and Communities, unreservedly condemn the actions of the settlers.

We deplore the open support and encouragement it has received from Israeli government quarters.

We demand that the Israeli authorities effect the immediate removal of these settlers and secure the property for its legitimate owners, the Greek Orthodox Patriarchate.

We appeal to the international community, to all churches and religious leaders, and to all people of goodwill throughout the world to give their active support to our call.

We have unanimously decided that:

(a) On Friday, 27 April, all Christian Holy Places in Jerusalem, Nazareth, Bethlehem and elsewhere in the Holy Land, will close their doors as of 9 a.m. and will not reopen until the following day.

(b) On the same day, all church bells throughout the country will ring a funeral toll every hour on the hour from 9 a.m. until noon.

(c) Sunday, 29 April, shall be a special day of prayer on behalf of the Christian community of Jerusalem, in which we invite all our fellow Christian believers throughout the world to join.

We have decided to remain in an open session to monitor developments in the case.

Jerusalem, 23 April 1990

Signed by the following:

Greek Orthodox Patriarch of Jerusalem

Latin Patriarch of Jerusalem

Armenian Patriarch of Jerusalem

Custos of the Holy Land

Coptic Archbishop of Jerusalem

Syrian Archbishop of Jerusalem

Ethiopian Archbishop of Jerusalem

Anglican Bishop in Jerusalem
and President Bishop of Anglican Church

The Greek-Catholic Patriarchal Vicar

The Lutheran Propst of Jerusalem